

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND, SOUTHERN DIVISION**

**NICOLE M. BRUNO**

**Plaintiff**

**vs.**

**DONALD ENSTE, et al.**

**Defendants**

**Case: AMD03CV358**

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**DONALD ENSTE, et al.**

**Third Party Plaintiffs**

**vs.**

**JOANNE SEAMAN  
645 George Street  
Turtle Creek, Pennsylvania 15145**

**Third Party Defendant**

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**THIRD PARTY COMPLAINT**

Donald Enste and No Stress Here, Inc., Defendants and Third Party Plaintiffs herein, by their attorney, Andrew B. Greenspan, file this Third Party Complaint against Joanne Seaman, Third Party Defendant(s) herein, and states:

1. The Plaintiff, Nicole Bruno, has sued Defendants, Donald Enste, dba Dandy Don's Bike & Beach Rentals and No Stress Here, Inc., alleging injuries and damages sustained from a bicycle incident which allegedly occurred on June 8, 1998.

2. Defendants in their Answer to the Complaint, denied any and all liability to the Plaintiff, Nicole Bruno.

3. Third Party Defendant, Joanne Seaman entered into a rental and waiver agreement whereby Third Party Defendant agreed to release, hold harmless and indemnify Defendant/Third Party Plaintiffs for any claims for injury or damages arising out of the rental, riding or use of the equipment. A claim has been filed by Nicole Bruno for injuries arising out of the rental and use of the bikes rented by Ms. Seaman. Under the terms of the rental and waiver agreement, Ms. Seaman is obligated to indemnify and hold harmless defendants for such claims as provided in the copy of the attached Rental and Waiver Agreement.

4. Defendants further alleged, in its Answer to the Complaint, that the Plaintiff's alleged injuries and damages were caused, if at all, by acts of the Plaintiff's own negligence, or, by acts of others for whom this Defendant is not legally responsible.

5. Defendants and Third Party Plaintiffs are entitled to recover by way of indemnity from Third Party Defendant, Joanne Seaman, any sums which Plaintiff may recover from Third Party Plaintiffs, plus pre-judgment interest, post-judgment interest, attorneys' fees and to recover from Third Party Defendant, Joanne Seaman, the contributive share of any sum or sums of which they may be liable to the Plaintiff.

WHEREFORE, Third Party Plaintiffs, Don Enste dba Dandy Don's Bike & Beach Rentals and No Stress Here, Inc., demand judgment against Third Party Defendant, Joanne Seaman, by way of indemnity and/or contribution in an amount equal to all sums for which it may be adjudged liable to the Plaintiff, and further, for pre-judgment interest, post-judgment interest, attorneys' fees and costs.

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Attorney for Defendant/Third Party  
Plaintiffs

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 29th day of August, 2003, a copy of the foregoing Third Party Complaint was mailed, postage prepaid, to **Danny R. Seidman, Esquire**, 80 Post Office Road, Waldorf, Maryland 20602-2709.

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ANDREW B. GREENSPAN